

**COPY**

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

UNION PACIFIC RAILROAD COMPANY, the )  
CITY OF ROCHELLE and the STATE OF )  
ILLINOIS, DEPARTMENT OF TRANSPORTATION )  
)

Stipulated Agreement regarding improving)  
public safety at the crossings of the )  
Company's tracks with public highways )  
known as Main Street, Washington Street,) )  
9<sup>th</sup> Street, 1<sup>st</sup> Avenue and Caron Road, )  
located in the City of Rochelle, Ogle )  
County, Illinois, designated as )  
crossings AAR/DOT 175 199F, Milepost )  
74.80 CNWA, AAR/DOT 175 120A, Milepost )  
74.86 CNWA, AAR/DOT 175 122N, Milepost )  
75.11 CNWA, AAR/DOT 175 123V, Milepost )  
75.42 CNWA and AAR/DOT 176 394E, )  
Milepost 74.23 CNWA, respectively )

RECEIVED  
OCT 18 2002

Illinois Commerce Commission  
RAIL SAFETY SECTION

T01-0022

TO ALL PARTIES OF RECORD:

UNION PACIFIC RAILROAD COMPANY'S PETITION FOR  
AN AMENDED ORDER FOR ADDITIONAL TIME TO COMPLETE THE WORK  
RELATED TO THE ABOVE REFERENCED STIUPLATED AGREEMENT  
AND ICC ORDER RELATED THERETO

NOW COMES the Union Pacific Railroad Company, a  
Delaware corporation, engaged in interstate commerce by railroad  
(hereinafter referred to as the "UPRR"), by and through its  
attorney, Mack H. Shumate, Jr., and as such hereby files this  
Petition seeking an Amended Order to the Illinois Commerce  
Commission (the "Commission") to amend the Commission's original  
order entered in this matter on April 11, 2001 for the subject  
Interconnect Projects (the "Project").

DOCKETED

The grade crossing improvements ordered to be installed in this matter pursuant to the Stipulated Agreement were contemplated to be completed by October 11, 2002. The UPRR has substantially completed all required improvements. Due to part supply delays and a derailment that destroyed the signal system at nearby Demment Road, the Project was not completed on the contemplated October 11, 2002 completion date. The current plan, according to Roy James, Manager of Signal Construction for the UPRR, is to finish the Project on or before October 31, 2002 and cut over the signal system at that time. However, this is a very complex project involving several crossings and additional time may be necessary to complete the system as contemplated by the Stipulated Agreement. It is Mr. James' opinion that as a precaution the Project completion date should be extended to the end of the year, December 31, 2002.

In accordance with the terms of the Stipulated Agreement, UPRR has filed the required Form 3s for each crossing in accordance with 92 Ill. Adm. Code 1535 and at six (6) month intervals has submitted progress reports to the Director of Processing and Information, Transportation Division of the Commission.

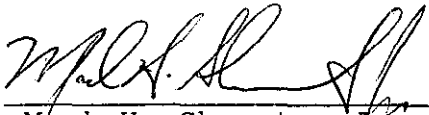
WHEREFORE, the UPRR respectfully requests that:

1. The Commission amend its Order in this matter by giving the UPRR until December 31, 2002 to complete the entire project; and

2. The Commission amend its Order as requested above without hearing.

Respectfully submitted,

UNION PACIFIC RAILROAD COMPANY

By:   
Mack H. Shumate, Jr.  
Its Attorney

Mack H. Shumate, Jr.  
Attorney for  
Union Pacific Railroad Company  
101 North Wacker Drive, Room 1920  
Chicago, IL 60606  
312/777-2055

AFFIDAVIT

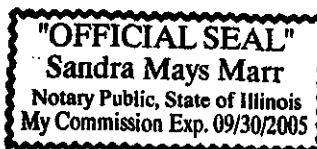
STATE OF ILLINOIS     )  
                              ) SS  
COUNTY OF C O O K    )

I, Donald York, first being duly sworn upon oath, depose and say that I am Manager Industry & Public Projects for the Union Pacific Railroad Company, a Delaware corporation. I have read the attached Request for an Amended Order and know the contents thereof. The said contents are true in substance and in fact, except as to those matters stated upon information and belief provided to the undersigned by others, and as to those matters I believe the same to be true.

Given this day at Chicago, Illinois.

Donald York  
Donald York

Subscribed and sworn  
before me this 17<sup>th</sup> day  
of October, 2002



Sandra Mays Marr  
Notary Public

My Commission Expires: 09/30/05

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

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Milepost 74.23 CNWA, respectively     )

T01-0022


**TO ALL PARTIES OF RECORD:**

Notice is hereby given that the attached Petition for an Amended Order has been filed in the above entitled matter before the Illinois Commerce Commission in Springfield, Illinois at the offices of the Commission as follows: Kevin Sharpe, Director of Processing, 527 East Capitol Avenue, Springfield, Illinois 62701, by sending the same to the Commission at the aforementioned address this 17<sup>th</sup> day of October, 2002 via United Parcel Service Overnight by placing the same in the UPS drop box at 101 North Wacker Drive, Chicago, Illinois at or about 5:00 p.m. on said date.

In addition, copies of the aforementioned Petition for Amended Order were mailed to those parties on the Service List attached hereto.

Dated this: 17<sup>th</sup> day of October, 2002.

UNION PACIFIC RAILROAD COMPANY

  
\_\_\_\_\_  
Mack H. Shumate, Jr.

Mack H. Shumate, Jr.  
Attorney for  
Union Pacific Railroad Company  
101 North Wacker Drive, Suite 1920  
Chicago, Illinois 60606  
312/777-2055

**CERTIFICATE OF SERVICE**

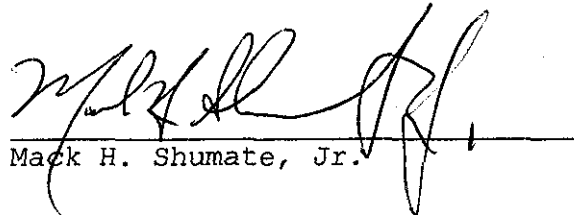
The undersigned certifies that on October 17, 2002, a copy of the foregoing instrument was served upon the following parties by depositing said instrument in the U.S. Mail, with postage thereon fully prepaid, at 101 North Wacker Drive, Chicago, Illinois, addressed as follows:

RICK KORTE  
Hearing Examiner  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, IL 62794-9280

JOHN BLAIR  
Senior Railroad Safety Specialist  
Illinois Commerce Commission  
527 East Capitol Avenue, 2<sup>nd</sup> Floor  
Springfield, IL 62794

JAMES SLIFER  
Director of Highways  
Department of Transportation  
2300 South Dirksen Parkway  
Springfield, IL 62764

JOSEPH H. SALITROS  
City Manager  
City of Rochelle  
420 North 6<sup>th</sup> Street  
P.O. Box A  
Rochelle, IL 61068

  
Mack H. Shumate, Jr.